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REMARKS

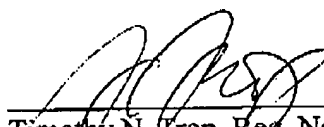
The objection to the condition "if" language has been overcome. It is noted that this objection has never been posed before and, therefore, either the final rejection is premature or the amendment should be entered.

With respect to the comments on the "adapted to" language, it is respectfully submitted that these are unsupportable as a matter of law. The "adapted to" language makes out a structural limitation as expressly found by the Federal Circuit in *Pac-tec v. Amerace*, 14 U.S.P.Q.2d 1871 (Fed. Cir. 1990) ("the language excised [including "adapted to"] by *Pac-Tec* constituted structural limitations") and its predecessor in *In re Venezia*, 189 U.S.P.Q. 149 (CCPA 1976). Therefore, reconsideration is requested.

As pointed out in the previous response, at the very minimum, there is no determining in the prior art which packets take longer to process and sending the packets that take less time to process before sending packets that take more time to process. Therefore, reconsideration is respectfully requested.

Respectfully submitted,

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